## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND (PROVIDENCE)

ALBERT L. GRAY, Administrator,	§	
et al.,	§	
Plaintiffs,	§	
	§	
V.	§	CA 04-312L
	§	
JEFFREY DERDERIAN, et al.,	§	
Defendants.	§	

## ANSWER OF BRIAN BUTLER, TVL BROADCASTING, INC., AND STC BROADCASTING, INC. TO PLAINTIFF MICHELLE SPENCE'S ADOPTION OF FIRST AMENDED MASTER COMPLAINT, ADOPTING AND SUBJECT TO TVL'S AND STC'S PARTIAL MOTION TO DISMISS

## TO THE HONORABLE COURT:

BRIAN BUTLER (the 24<sup>th</sup> listed Defendant in the above-referenced action, hereinafter "BUTLER" or "Defendant"), TVL BROADCASTING, INC. (the 25th listed Defendant in the above-referenced action, hereinafter listed as "TVL" or "Defendant"), and STC BROADCASTING, INC. (the 26<sup>th</sup> listed Defendant in the above-referenced action, hereinafter listed as "STC" or "Defendant") (collectively, "Defendants") respectfully file this Answer to Plaintiff Michelle Spence's adoption of the First Amended Master Complaint filed in Gray, et al. v. Derderian, et al.; C.A. No. 04-312L, adopting and subject to TVL's And STC's separately filed Partial Motion to Dismiss, as follows:

Plaintiff Michelle Spence ("Plaintiff") has adopted the First Amended Master Complaint filed in Gray, et al. v. Derderian, et al.; C.A. No. 04-312L. In addition, the Court has granted Plaintiff's motion to sever all her claims and causes of action brought by her and on behalf of her minor child, Haley Spence, from the matter of Guindon, et al. v. American Foam Corp., et al.; C.A. No. 03-335L, and to consolidate said claims and causes of action with the matter of Gray. et al. v. Derderian, et al.; C.A. No. 04-312L. 463 These Defendants hereby incorporate the answer most recently filed on their behalf in *Gray* as their answer here. In addition, Defendants TVL and STC hereby incorporate their previously filed and argued motion titled "TVL Broadcasting, Inc. And STC Broadcasting, Inc.'s (Formerly Sued As LIN Television, Inc. And CBS, Inc.) Motion For Partial Dismissal Of The First Amended Master Complaint, Incorporating Prior Motion, Memorandum And Reply Brief." Said motion was served and filed on or about October 15, 2004.

Defendants hereby demand a trial by jury as to all allegations and claims.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that the claims against them be dismissed with prejudice and that they recover their costs of suit herein and that they be awarded such further relief at law and in equity as to which they may be entitled.

Respectfully submitted,

Defendants BRIAN BUTLER, TVL BROADCASTING, INC., and STC BROADCASTING, INC., by their Attorneys,

Nancy W. Han. 1. to 2/Charles L. Babcock
Nancy W. Hamilton
Earl H. Walker
JACKSON WALKER L.L.P.
1401 McKinney, Suite 1900
Houston, Texas 77010
(713) 752-4200 – Telephone
(713) 752-4221 – Fax

DATED: 4/27/65

Richard W. MacAdams, #1681 Denean M. Russo, #5043 MacADAMS & WIECK INC. 101 Dyer Street, Suite 400 Providence, RI 02903 (401) 454-8700 – Telephone (401) 454-8755 – Fax

## **CERTIFICATE OF SERVICE**

This is to certify that on this \_\_\_\_\_ day of April, 2005, a true and correct copy of ANSWER OF BRIAN BUTLER, TVL BROADCASTING, INC., AND STC BROADCASTING, INC. TO PLAINTIFF MICHELLE SPENCE'S ADOPTION OF FIRST AMENDED MASTER COMPLAINT, ADOPTING AND SUBJECT TO TVL'S AND STC'S PARTIAL MOTION TO DISMISS was served via email in PDF format only, upon:

Allen J. McCarthy

Andrew J. Trevelise

Ann M. Songer/George Wolf

Anthony F. DeMarco/Mark Reynolds

Brian R. Cunha/Karen Alegria Bruce Keller/Michael Potenza

C. Russell Bengtson Charles N. Redihan, Jr. Christopher C. Fallon, Jr.

Curtis R. Diedrich Daniel J. Horgan

Donald J. Maroney/James Reilly Edward M. Crane/Deborah Solmor Edward T. Hinchey/James Scanlon

Edwin F. McPherson Eva Marie Mancuso Georgia M. Sullivan Gregory L. Boyer

Howard Merten/Benjamin White

Howard J. Julian J. Renn Olenn James A. Ruggieri

James J. Restivo, Jr./W. Thomas McGough

James R. Lee

James T. Murphy/Kelly Michels

John J. Nazzaro John R. Mahoney Joseph B. Burns Joseph Krowski Joseph J. McGair

Joseph V. Cavanagh, Jr./Kristin Rodgers

Marc DeSisto Mark C. Hadden

Mark D. Cahill/Eric B. Hermanson

amccarthy@melicklaw.com atrevelise@reedsmith.com

asonger@shb.com

tdemarco@conversent.net Brian@Briancunha.com bpkeller@debevoise.com RBengtson@ckmlaw.com credihan@KPRlaw.com cfallon@cozen.com

cdiedrich@sloanewalsh.com

horganlaw@snet.com dmaroney@kkrs.com ecrane@skadden.com

EHinchey@sloanewalsh.com mcpherson@m-klaw.com Emancuso@hwac.com

Georgia.Sullivan@thehartford.com

boyerlaw1@aol.com

hmerten.station@vetterandwhite.com

sohohomes@yahoo.com jro@olenn-penza.com Ruggieri@hcc-law.com jrestivo@reedsmith.com JLee@riag.state.ri.us jtm@hansoncurran.com attynazzaro@aol.com

johnmahoney@amlawllp.com

jburns@rms-law.com

joseph krowski.law @verizon.net

jjm@petrarcamcgair.com stationfire@blishcavlaw.com marc@Desistolaw.com MHadden@mhaddenlaw.com

Wii iaddena iiiiaddeina w

mcahill@choate.com

Mark P. Dolan/Anthony Leone

Mark S. Mandell

Mark T. Nugent/Paul Sullivan

Mark Tourgee/Timonthy Williamson

Matthew F. Medeiros

Max Wistow/John Barylick/Jessica Deanseri

Michael A. St. Pierre

Patrick T. Jones/Peter Schneider

Ralph J. Monaco/Patrick Day

Randall L. Souza/Fred Kelly, Ian Ridlon

Richard W. MacAdams

Robert T. Norton

Robert Reardon and Robert Rimmer

Ronald J. Resmini/Ronald Creamer

Ronald Langlois/Lauren Wilkins

Scott J. Tucker

Stephanie DiMaio Larivee

Stephen A. Izzi

Stephen E. Breggia/Kevin Bowen

Stephen M. Prignano/Stephen MacGillivray

Stephen P. Fogerty

Steven A. Minicucci/William Filippo

Susan S. Wettle/Carl Henlein

T. Dos Urbanski

Thomas C. Angelone

Thomas W. Lyons

Ricedolank@aol.com msmandell@msn.com

mnugent@morrisonmahoney.com

inmantourgeelaw@aol.com

mfm@lmkbw.com

wvenditti@wistbar.com

mikesp@rrsplaw.com

piones@cmj-law.com

rmonaco.c-l@snet.net

RSouza@nixonpeabody.com

Rmacadams@mandwlaw.com

rnorton@sloanewalsh.com

Reardonlaw@aol.com

Resminilaw@yahoo.com

rlanglois@smithbrink.com

STucker@ths-law.com

singinglawyer@msn.com

Stephen.Izzi@hklaw.com

sbreggia@BBGlaw.us

sprignano@EdwardsAngell.com

fogerty@halloran-sage.com

SMinicucci@calvinolaw.com

swettle@fbtlaw.com

durbanski@melicklaw.com

Angelonelaw@aol.com

tlyons@straussfactor.com

Nancy Hamilton R. Wuck